

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 32694 of 2007(P)

PETITIONER:

MR.P.P.NANU, AGED 58 YEARS,
S/O.KRISHNAN, RETIRED DRIVER NO.35848,
RESIDING AT PRANAVAM, P.O.MAMBA, KANNUR DIST.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION,
REP. BY ITS CHAIRMAN/MANAGING DIRECTOR.

2. THE DISTRICT TRANSPORT OFFICER,
K.S.R.T.C., KANNUR.

BY SC SRI. K. PRABHAKARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.M.JOSEPH, J.

WP.(C) No.32694 of 2007

Dated this the 5th day of November, 2007

JUDGMENT

Petitioner retired as Driver. He has approached this court seeking a direction to the respondents to disburse all statutory pensionary benefits and for a direction to issue statement of account in terms of the direction in W.A. 289 of 2001 and payment made in terms of the direction in W.A. 289 of 2001 towards the pension account. The further prayer is for a direction to the respondents to issue a statement of accounts of the petitioner. Petitioner admittedly has obtained Ext.P2 judgment, wherein this court held that as far as pensionary benefits are concerned, it will be governed by the direction of this court in W.A. 289 of 2001. There was a direction to pay Provident Fund and Staff Welfare Fund with statutory interest. Petitioner has stated in the writ petition that he has already received Rs.One Lakh in a separate petition out of turn. Now it is stated that after a long period of retirement as on 30.6.2004, the respondent has not disbursed the balance amount. After having obtained Ext.P2 judgment and apparently another judgment wherein he was directed to be paid

Rs.One Lakh as a special case on out of turn basis, I do not think that the petitioner is entitled to get payment out of turn. Petitioner will have to wait his seniority for effecting payment of the balance amount. I do not think that the petitioner has made out a case for further relaxation of the principle of seniority. Petitioner has also not made out a case for issuing a direction sought in prayer Nos. 2 and 3.

Accordingly I find no merit in the writ petition. It is dismissed.

(K.M. JOSEPH, JUDGE)

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